

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

ORDER
12-CR-235

JOHN EVANS,

Defendant.

This case was referred to Magistrate Judge Jeremiah J. McCarthy, pursuant to 28 U.S.C. § 636(b)(1)(B) for pretrial proceedings. Defendant filed a motion to suppress statements that he made on January 23, 2012 (Dkt. No. 251). An evidentiary hearing was held on November 8, 2013, and the government submitted a post hearing briefs (Dkt. Nos. 404 and 406) on June 11, 2014 and June 12, 2014. Magistrate Judge McCarthy filed a Report and Recommendation (Dkt. No. 474) on December 22, 2014 recommending that defendant John Evans' motion to suppress (Dkt. No. 251) should be denied. No objections were filed within the deadline set forth in the Report and Recommendation.

It is hereby **ORDERED**, after *de novo* review, and for the reasons set forth in Magistrate Judge McCarthy's Report and Recommendation, defendant Evans' motion to suppress statements that he made on January 23, 2012 is denied. The Report and Recommendation (Dkt. No. 474) is therefore adopted in its entirety.

IT IS SO ORDERED.

Richard J. Arcara

HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT COURT

Dated: January 15, 2015